

APPLICATION FOR PERMIT

Serial No. 13400

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of first receipt and filing in State Engineer's office JUN 2 1950
Returned to applicant for correction _____
Corrected application filed _____

The undersigned HENRY McCLEARY TIMBER COMPANY
Name of applicant
of Winnemucca (Paradise Valley), County of Humboldt,
State of Nevada, hereby makes application for
permission to appropriate the public waters of the State of Nevada, as
hereinafter stated. (If applicant is a corporation, give date and place
of incorporation.) State of Washington. February, 1906

1. The source of the proposed appropriation is Cottonwood Creek and tri-
Name of stream, lake, or other source
butaries, one tributary being West Fork of Martin Creek.
2. The amount of water applied for is One Hundred (100) second-feet.
One second-foot equals 40 miners' inches
3. The water to be used for Irrigation and domestic
Irrigation, power, mining, manufacturing, domestic, or other use
4. The water is to be diverted from its source at the following point:
SE 1/4 Sec. 36, T. 41 N., R. 39 E., M.D.B.&M. or at a point from which
Describe as being within a 40-acre subdivision of public survey, or by course and distance to a section corner. If on unsurveyed land, it should be so stated.
the SE corner of said Sec. 36 bears S. 32° E. 61 feet.

IF THE WATER IS TO BE USED FOR IRRIGATION, SUPPLY THE FOLLOWING INFORMATION:

- (a) Number of acres to be irrigated is 20,000 in whole or in part.
- (b) Description of land to be irrigated Lies in Twps. 39 and 40 N., Rs.
39 and 40 E. M.D.B.&M. The water herein
Describe by legal subdivision, or if on unsurveyed land it should be so stated and a description provided in accordance with special instruction from the State Engineer when application is returned for correction.
applied for was covered by Application No. 13320 filed 3/17/50 and re-
turned for amendment and is a companion Application to Application Nos.
13320, 13321 and 13322. All or parts of Sections 1, 11, 12, 13, 14, 22, 23,
24, 25, 26, 27, 34, 35 and 36. T. 40 N., R. 39 E., M.D.B.&M. All or parts
of Sections 6, 7, 17, 18, 19, 30 and 31. T. 40 N., R. 40 E., M.D.B.&M.
Portion of Section 1. T. 39 N., R. 39 E., M.D.B.&M.

- (c) Use will begin about Jan. 1 and end about Dec. 31, of each year.
Month Month

IF WATER IS TO BE USED FOR POWER, MINING, STOCK WATERING, OR OTHER USE, SUPPLY THE FOLLOWING INFORMATION:

- (d) Power to be developed is _____ horsepower.
- (e) Place of use _____
Give location of place of use by legal subdivision
- (f) Point of return of water to stream _____
Describe in same manner as point of diversion
- (g) State number and kinds of animals to be watered _____
- (h) Use will begin about _____ and end about _____, of each year.
Month Month

Applicant has vested rights to certain waters of the source.
(i) Remarks but due to existing physical, climatic and other conditions
& limitations water to supply these lands is not always available to fill applica-
nts necessities and rights during the season between April 1st and Oct. 1st each
year. This filing is made in order to take advantage of the flood and normal sup-
ply throughout the year when available and to use it in large heads when avail-
able, also to keep the channels in condition and to supply the underground water
table, and hold it at a safe level for crops and pasture. Martin Creek is deemed to
be a tributary of Cottonwood Creek through the West branch of Martin Creek where
the waters of the West branch have heretofore joined Cottonwood Creek.

DESCRIPTION OF PROPOSED WORKS

Concrete, rock and timber diversion dams and headgates of 200 c.f.s.

State manner in which water is to be diverted, whether by dam or other works, whether through pipes, ditches, flumes, or other conduits. If water

capacity. The existing irrigation system of sloughs, ditches and channels

is to be stored in reservoirs, it should be so stated and the location of the reservoir should be given with reference to the legal subdivisions.

of various sizes will be used and enlarged where necessary.

5. Estimated cost of works \$15,000.00 to \$20,000.00

6. Estimated time required to construct works Five years

7. Remarks This application was included as a part of Application No.

For use of applicant

13320 for the purpose of diverting water into applicant's irrigation system which consists of Cottonwood channel as well as numerous sloughs as ditches.

HENRY McCLEARY TIMBER COMPANY, Applicant.

By Frank McCleary

Compared AT-LM

This sheet inspected

Engineer.

Protested Dec. 14, 1950 by Fred E. Stewart et. al. Protested Dec. 14, 1950 by Rudolph H. Schwartz.

DENIAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, deny and do hereby grant the same, subject to the following limitations and conditions: on the grounds that there is no unappropriated water in the source.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed cubic feet per second.

Actual construction work shall begin on or before

Proof of commencement of work shall be filed before

Work must be prosecuted with reasonable diligence and be completed on or before

Proof of completion of work shall be filed before

Application of water to beneficial use shall be made on or before

Proof of the application of water to beneficial

use must be filed with State Engineer on or before

May Filed MAY 15 1950 under 13320

WITNESS MY HAND AND SEAL this 23rd day

of January, 1951.

State Engineer.